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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,557	04/05/2001	Akira Oomori	CANO:023	5306

7590 09/06/2005

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EXAMINER

DANG, KHANH

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,557

Applicant(s)

OOMORI, AKIRA

Examiner

Khanh Dang

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 8, line 2, the word "together" should be changed to – associated--.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Fujino (6,476,935).

With regard to claims 1, 10, 19, and 20, Johnson et al. discloses a data communication apparatus comprising input means for inputting data to be transmitted to at least one of a plurality of destinations (keypad 14, for example); transmitting means for transmitting the same data to the plurality of destinations by the respective different transmission methods (in Johnson, the same data can be transmitted to a plurality of transmission paths to a plurality of destinations; see also Figs. 2 and 3 and description thereof); and control means (see col. 2, lines 60-67; col. 5, lines 1-6) connected to the

Art Unit: 2111

input means (keypad 14, for example) and the transmitting means (in Johnson, the same data can be transmitted to a plurality of transmission paths to a plurality of destinations; see also Figs. 2 and 3 and description thereof) for designating a plurality of destinations for same data to be transmitted to the destinations by the respective different transmission methods and for managing information (in Johnson et al., the transmission status, for example, can be managed/updated, see col. 2, lines 60-67; col. 5, lines 1-6) relating to the transmission made by the transmitting means by associating a same predetermined identifier to each of the plurality of transmissions of the same data, or in another word, the ID of each transmission remains the same during a data transmission (as a matter of fact, Johnson discloses that each job number can be queried at regular intervals to obtain updated status information while transmitting the files to selected destinations, see at least column 2, lines 60-67), wherein the transmitting means transmits the same data to the plurality of destinations designated by the control means by the respective different transmission methods (in Johnson, the same data can be transmitted to a plurality of transmission paths to a plurality of destinations; see also Figs. 2 and 3 and description thereof). With regard to claim 2, the device of Johnson et al. further comprises display means (58) for displaying a list based on the information managed by the managing means. With regard to claim 3, it is clear that in Johnson et al., data can be transmitted using at least one transmission method of E-mail and FTP (File Transfer Protocol). With regard to claim 4, it is clear that at least the scanner (10) of Johnson et al. is readable as a reader for reading images on originals and generating image data corresponding to the images. It is also clear from

Art Unit: 2111

Johnson et al.; and that data from the reader can be provided to the input means. With regard to claim 5, see at least Figs. 2 and 3, and description thereof). With regard to claim 6, it is clear that a user is able to provide instructions to the system of Johnson et al. With regard to claims 7-9, it is clear from Johnson et al. that a user is able to stop/interrupt data transmission associated with a particular transmission method and identified by their IDs; and change the destination of the transmission data. See at least col. 3, lines 63 to col. 5, line 28. It is clear data transmission must stopped/interrupted first before changing transmission destination. With regard to claims 11-18, see discussion above.

Johnson does not disclose that a same predetermined identifier is associated with all of the plurality of transmissions of the same data.

However, the use of a same predetermined identifier associated with all of the plurality of transmissions of the same data is old and well-known as evidenced by the acknowledged prior art (Fujino). Fujino discloses the use of multicast transmission for transmitting a single original image to a plurality of destinations and the use of a common management information upon simultaneously transmitting identical data to a plurality of destinations. In particular, as disclosed by Fujino, the image file management information includes a destination data management table, a start address 302 of transmission data stored in the image memory (DRAM) 5, and a busy indication switch 303 including flags each indicating whether or not a corresponding line is busy, as shown in FIG. 3. The destination data management table 301 manages the destination names to which transmission is to be done, facsimile

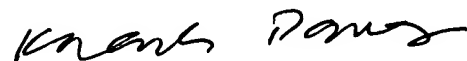
Art Unit: 2111

numbers, and the like in units of destinations, and has flag fields each indicating whether or not transmission has been done, in units of destinations. See at least col. 5, lines 12-21. Thus, at least the destination data management table 301 including management table, address field and flags constitutes "a same identifier to all of the plurality of transmissions of the same data. Fujino also discloses interruption of data transmission to one of the plurality of destinations. See at least column 1, lines 46-50.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Johnson with a same predetermined identifier associated with all of the plurality of transmissions of the same data, as taught by Fujino, for the purpose of at least improving data transmission efficiency (see Fujino, column 10, lines 41-62).

US Patent No. 5,793,791 to Yamamuro et al. is cited as relevant art.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 571-272-3626.



Khanh Dang
Primary Examiner